

SECOND DAY

(Continued)

(Thursday, January 12, 1961)

After Recess

The Senate met at 11:00 o'clock a.m., and was called to order by the President.

Committee to Canvass Votes for Governor and Lieutenant Governor

The President announced the appointment of the following pursuant to the provisions of S. C. R. No. 1 to canvass votes for the Governor and the Lieutenant Governor:

Senators Dies, Chairman, Kazen, Creighton, Reagan, and Crump.

Committee to Arrange for Inauguration of the Governor and the Lieutenant Governor

The President announced the appointment of the following pursuant to the provisions of S. C. R. No. 1 to arrange for the inauguration of the Governor and the Lieutenant Governor:

Senators Aikin, Chairman, Calhoun, Martin, Hudson and Smith.

Communication from Judge of the Court of Criminal Appeals

The President laid before the Senate and directed the Secretary to read the following communication received from the Presiding Judge of the Court of Criminal Appeals:

To the Senate of Texas:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be a member of the State Board of Pardons and Paroles, Mr. A. C. Turner of Walker County, Texas.

K. K. WOODLEY

Presiding Judge, Court of Criminal Appeals

January 11, 1961.

The communication was read and referred to the Committee on Nominations.

Message from the House

Hall of the House of Representatives
Austin, Texas,
January 12, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 1, A bill to be entitled "An Act fixing the salaries, per diem and mileage of Members of the Legislature, pursuant to the provisions of Section 24 of Article III of the Constitution of Texas; creating a Legislative Expense Fund; providing for the expenses of the Fifty-seventh Legislature and making other provisions relating thereto; transferring unobligated balances in the Legislative Expense Fund created by the provisions of House Bill 1, Acts of the Fifty-sixth Legislature, Regular Session, 1959, Chapter 1, Page 1; providing for the deposit into the Legislative Expense Fund of the sum of One Million Fifty Thousand Dollars (\$1,050,000) derived from the net monies collected pursuant to the provisions of Article 702 and 706, Chapter 7 of House Bill 11, Acts of the Fifty-sixth Legislature, Third Called Session, 1959, Chapter 1; providing for the deposit into the Legislative Expense Fund in the sum of One Million Six Hundred Thousand Dollars (\$1,600,000) derived from the net revenues received from fees and charges collected pursuant to the provisions of House Bill 20, Acts of the Forty-seventh Legislature, Regular Session, 1941, Chapter 173, as amended (codified in Vernon's as Article 6687b, Vernon's Civil Statutes) authorizing and directing the Comptroller of Public Accounts to make allocations and deposit revenues derived from the cigarette tax levied by the provisions of Chapter 7 of House Bill 11, Acts of the Fifty-sixth Legislature, Third Called Session, 1959, and the fees and charges collected pursuant to the provisions of House Bill 20, Acts of the Forty-seventh Legislature, Regular Session, 1941, Chapter 1, Page 173, as amended, to the Legislative Expense Fund created by this Act; providing that thereafter the allocation and deposit of such revenues shall be as provided in House Bill 20, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended prior to the effective date of this Act and House Bill 11, Acts of the Fifty-sixth Legislature, Third Called Session, 1959, prior to the effective date of this Act; appropriating all monies in the Legislative Expense Fund for the expenses of the Fifty-seventh Legislature and the unpaid expenses of the

Fifty-sixth Legislature; providing a repealing clause; providing a severability clause; and declaring an emergency."

S. C. R. No. 1, Providing for the canvass of votes for Governor and Lt. Governor and providing committee for inauguration.

S. C. R. No. 3, In Memory of Fred Farrell Florence.

H. C. R. No. 1, In Memory of Uncle Henry Blair, who served as head porter of the Texas House of Representatives.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Temporary Committee on Finance

The President announced the appointment of the following as a Temporary Committee on Finance:

Senators Aikin, Lane and Moffett.

House Bill on First Reading

The following bill received from the House, was read the first time and referred to the Committee indicated:

H. B. No. 1, To Temporary Committee on Finance.

Report of Standing Committee

Senator Aikin submitted the following report:

Austin, Texas,
January 12, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Temporary Committee on Finance, to whom was referred H. B. No. 1, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

House Bill 1 Ordered Not Printed

On motion of Senator Aikin and by unanimous consent H. B. No. 1 was ordered not printed.

Adjournment

On motion of Senator Hardeman the Senate at 11:25 o'clock a.m. adjourned until 10:30 o'clock a.m. on Monday, January 16, 1961.

In Memory of
W. Byron Simmons

Senator Parkhouse offered the following resolution:

(Senate Resolution 9)

Whereas, On the 11th day of January, 1961, our Heavenly Father in His infinite wisdom called to his eternal reward, Mr. W. Byron Simmons of Orange, Texas; and

Whereas, The State of Texas has lost a great leader, who for years devoted his life to the welfare of the people of the entire State of Texas; and

Whereas, This outstanding man, among men, has during his entire lifetime been known, respected, and loved by all those men and women charged with the responsibility of administering the affairs of this state; and

Whereas, His contributions were unequaled during his many years of public service and his undying loyalty to those with whom and for whom he worked; and

Whereas, He contributed unselfishly in his positions of leadership in the Democratic Party. His great loyalty to the Governors of this state in outstanding service began with James A. Ferguson and continued with Price Daniel; and

Whereas, Among his outstanding endeavors and interests has been the development of the present great highway system in Texas; his chairmanship of the Democratic Party for many years; his strong devotion to the higher Educational System; and

Whereas, He is survived by his wife, Mrs. Lou Ida Simmons; a daughter, Lou Ida; and three sons, John, Bob, and Lutch, in whom has been instilled the greatness of this great American; now, therefore, be it

Resolved, That in the passing of Mr. Simmons, the Senate of Texas mourns the loss of a great and good man whose deeds in behalf of his city, state, and nation shall be long remembered; that as a tribute to his memory this Resolution be adopted by the Senate; and that when we adjourn today, we do so in his honor; and be it further

Resolved, That copies of this Resolution be sent to the surviving members of his family as an expression of our sympathy.

**FULLER
PARKHOUSE**

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Baker, Calhoun, Colson, Creighton, Crump, Dies, Gonzalez, Hardeman, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Martin, Moffett, Moore, Owen, Patman, Ratliff, Reagan, Roberts, Rogers, Schwartz, Secrest, Smith, Weinert, Willis.

The resolution was read.

On motion of Senator Lane and by unanimous consent the names of the Lieutenant Governor and the Senators were added to the resolution as signers thereof.

The resolution was adopted by a rising vote of the Senate.